

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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RACCOON VALLEY TRANSPORT, INC., et al.,	ORDER
Plaintiff,	
- against -	
ESPAR INC., et al.,	15-CV-1338 (JG) (JO)
Defendants.	
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-----X	
TRIPLE CITIES ACQUISITION, LLC,	
Plaintiff,	
- against -	
ESPAR INC., et al.,	15-CV-1343 (JG) (JO)
Defendants.	
-----X	
-----X	
REGIONAL INTERNATIONAL CORP.,	
Plaintiff,	
- against -	
ESPAR INC., et al.,	15-CV-1798 (JG) (JO)
Defendants.	
-----X	
-----X	
NATIONAL TRUCKING FINANCIAL RECLAMATION SERVICES, LLC,	
Plaintiff,	
- against -	
ESPAR INC., et al.,	15-CV-2310 (JG) (JO)
Defendants.	
-----X	
-----X	
TRAILER CRAFT, INC.,	
Plaintiff,	
- against -	
ESPAR INC., et al.,	15-CV-2411 (JG) (JO)
Defendants.	
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JAMES ORENSTEIN, Magistrate Judge:

I. Pretrial Consolidation

All of the putative class actions captioned above, together with any other cases arising out of the same operative facts that are later filed in or transferred to this court, will be consolidated for purposes of pretrial discovery pursuant to Federal Rule of Civil Procedure 42(a)(3). This Order does

not constitute a determination that these actions should be consolidated for trial, nor does it have the effect of making any entity a party to an action in which it has not been joined and served in accordance with the Federal Rules of Civil Procedure.

II. Caption

Every pleading filed in this proceeding, or in any separate action included herein, shall bear the following caption:

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IN RE ESPAR ANTTITRUST LITIGATION	15-MC- <u>0940</u> (JG) (JO)
This Document Relates To:	
[Docket number or category of cases]	
-----X	

If a submission is generally applicable to all consolidated actions, the caption should include the notation that the document relates to "ALL CASES" and the submission should be filed and docketed in 15-MC-0940 (the "Master Docket"). If a submission is applicable only to particular cases, the caption should include the case number of the case(s) to which it applies, or, if appropriate, a description of the category of cases to which it applies (*e.g.* "Direct Purchaser Actions").

III. Electronic Filing and Electronic Service of Process

All parties in the consolidated actions shall comply with this court's mandatory electronic case filing rule. See Administrative Order 2004–08. All submissions should be filed using the electronic case filing system ("ECF") and should be filed on the Master Docket. Counsel are instructed to select YES when prompted whether to spread text.¹ If the papers apply to all cases they are to be "spread" to "all". If the papers only apply to an individual case or cases, they are to be "spread" to only the docket numbers for the individual case or cases to which they apply. Pleadings shall not be filed in the Master Docket. Rather, pleadings shall be filed only in the docket of the individual case or cases to which they

¹ When filing a document on ECF, the filer is asked to respond to a series of prompts. One such prompt asks: "Do you want to spread text?"

apply. All counsel who have registered for ECF and filed a notice of appearance on the Master Docket will be deemed served with any document that has been electronically filed on the Master Docket. Counsel need not include a service of process list with court submissions. Liaison counsel, once appointed, shall bear responsibility for serving ECF-filed documents on any counsel designated for service of process that is not registered for ECF.

IV. Newly Filed Or Transferred Actions

When a case which, according to this Order, should be consolidated with the instant cases is hereafter filed in or transferred to this court and assigned to Judge Gleeson, the Clerk shall make an appropriate entry in the Master Docket, and all counsel to the parties in the action shall promptly register for ECF and file a notice of appearance on the Master Docket. Thereafter, counsel will be deemed served with all documents and orders filed on the Master Docket, including this Order. I respectfully request the assistance of counsel in calling to the attention of the Clerk the filing or transfer of any case that might properly be consolidated with the instant actions. Any party may object to the consolidation of any newly filed or transferred action.

SO ORDERED.

Dated: Brooklyn, New York
May 27, 2015

/s/
JAMES ORENSTEIN
U.S. Magistrate Judge